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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SONYA RENEE *et al.*,
v.
Plaintiffs,
MARGARET SPELLINGS, in her official capacity;
UNITED STATES DEPARTMENT OF EDUCATION,
Defendants.

Case No. 07-04299 PJH

**EXHIBITS IN SUPPORT OF
PLAINTIFFS' CONSOLIDATED
MEMORANDUM OF POINTS AND
AUTHORITIES IN OPPOSITION TO
DEFENDANTS' CROSS MOTION FOR
SUMMARY JUDGMENT & REPLY IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

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EXHIBIT 17

PROFESSIONAL CLEAR

SUMMARY OF CALIFORNIA'S TEACHER CREDENTIALING LAWS*

- Valid for life but must be renewed every 5 years (Cal. Educ. Code § 44251)
- Valid throughout California
- Must verify 2 years of successful teaching experience and complete a CTC-approved teacher induction program which includes mentoring, advanced study in health, special populations, computer technology, and teaching English learners
- *See* Cal. Educ. Code §§ 44274.2, 44259; Cal. Code Regs. tit. 5, § 80413; *see also*, e.g., CTC Leaflet No. CL-561c "Multiple Subject Teaching Credential," available at <http://www.ctc.ca.gov/credentials/leaflets/cl561c.pdf>

PRELIMINARY

- Valid for 5 years (Cal. Educ. Code § 44251)
- Valid throughout California
- Must complete a CTC-approved teacher preparation program (whether an intern program or a traditional program)
- *See* Cal. Educ. Code §§ 44274.2, 44259; Cal. Code Regs. tit. 5, § 80413; *see also*, e.g., CTC Leaflet No. CL-561C "Multiple Subject Teaching Credential," available at <http://www.ctc.ca.gov/credentials/leaflets/cl561c.pdf>

Core Requirements:
B.A.
Subject Matter Competency
CBEST
Completion of a Teacher Preparation Program

INTERN

Core Requirements:
B.A.
Subject Matter Competency
CBEST

- Valid for 2 years; may be extended once for a 3rd year (Cal. Educ. Code §§ 44251, 44325, 44455)
- Valid only in employing school district (Cal. Educ. Code §§ 44325, 44463)
- Must be enrolled in an approved university or district internship program (Cal. Educ. Code § 44259(b)(3)(C))
- Must demonstrate subject matter knowledge (Cal. Educ. Code §§ 44325, 44453, 44830.3)
- *See generally* Cal. Educ. Code §§ 44325 *et seq.*, 44450 *et seq.*, 44830.3; *see also*, e.g., CTC Leaflet No. CL-707B "District Intern Credential," available at <http://www.ctc.ca.gov/credentials/leaflets/cl707b.pdf>; CTC leaflet No. CL-402a "University Internship Credentials," available at <http://www.ctc.ca.gov/credentials/leaflets/cl402a.pdf>

For these three credentials, the individual *may* be enrolled in teacher preparation program and have subject matter knowledge, but is not required to do so in order to be eligible for the permit.

EMERGENCY PERMIT

- While still authorized by statute, this permit is no longer issued by the CTC for multiple and single subject teaching assignments. (*See*, e.g., CTC Leaflet No. CL-858 "Short Term Staff Permits," available at <http://www.ctc.ca.gov/credentials/leaflets/cl858.pdf>)
- Valid for 1 year; may be renewed 4 times (Cal. Code Regs. tit. 5, § 80023.1)
- Valid only in employing school district (Cal. Code Regs. tit. 5, § 80023.1)
- Employer must have a Declaration of Need for Fully Qualified Educators on file with the CTC (Cal. Code Regs. tit. 5, § 80023.2)
- Some subject matter coursework required (Cal. Code Regs. tit. 5, § 80024.1)
- Must make progress in an approved teacher preparation program in order to renew the permit (Cal. Code Regs. tit. 5, § 80026.6)
- *See also* Cal. Educ. Code § 44300

**PROVISIONAL INTERN
PERMIT**

- Valid for 1 year; may be renewed once
- Valid only in employing school district
- Some subject matter coursework required
- Employer must provide notice to public at school board meeting of intent to employ individual on the PIP
- *See* Cal. Code Regs. tit. 5, § 80021; *see also* CTC Leaflet No. CL-856 "Provisional Intern Permit," available at <http://www.ctc.ca.gov/credentials/leaflets/cl856.pdf>

SHORT TERM STAFF PERMIT

- Valid for 1 year; non-renewable
- Valid only in employing school district
- Some subject matter coursework required
- For acute, unforeseen staffing need
- Employer must provide written justification to CTC
- *See* Cal. Code Regs. tit. 5, § 80021; *see also* CTC Leaflet No. CL-858 "Short Term Staff Permits," available at <http://www.ctc.ca.gov/credentials/leaflets/cl858.pdf>

Core Requirements:
B.A.
Some Subject Matter Competency
CBEST

SUBSTITUTE PERMITS

Core Requirements:
B.A.
CBEST

- Valid for one year; renewable
- Authorizes service in a single classroom for a limited period of time (30 or 60 days)
- Valid only in county in which permit is registered; employing agency must have statement of need on file
- Requires a B.A. and passage of the California Basic Educational Skills Test (CBEST)
- *See* Cal. Code Regs. tit. 5, §§ 80025, 80025.1

WAIVER

- On the request of the school district, credentialing requirements may be waived by the CTC for one year or less under certain statutorily-enumerated situations, such as to address unanticipated, immediate, short-term shortages and to provide flexibility to small, geographically isolated regions. Cal. Educ. Code § 44225(m).

*Graphic applies to typical "multiple subject" (elementary) and "single subject" (secondary) credentials.

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EXHIBIT 18

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EXHIBIT 18(a)



WELCOME to the State Reports website!



Section 207 in Title II of the Higher Education Act, as amended, requires each state receiving funding under the Act to report annually on the quality of teacher preparation in the state, including-

- **Standards** for teachers and their alignment with standards for students
- **Requirements** for an initial teaching certificate or license through either an alternate or regular route
- Pass rates on each **assessment** used by states in certifying or licensing teachers
- State standards for evaluating the **performance** of teacher preparation programs
- Teachers in the classroom on **waivers**, that is, teaching without an initial regular certificate or license from any state
- State efforts in the past year to improve the **quality** of teaching.

Reports by states using assessments include pass rates on tests disaggregated and ranked by teacher preparation program in the state. As required by Title II, institutions of higher education with teacher preparation programs submitted these pass rates and other information in their reports to states in April 2001. The law also requires institutions to include the information in their reports in publications such as college catalogs and promotional materials sent to potential applicants, secondary school counselors, and prospective employees of an institution's graduates.

The state reports on this website incorporate the information and data submitted by the states in October 2001. Section 207 requires states in reporting to use key definitions of terms and uniform reporting methods developed by the Department of Education's National Center for Education Statistics in the *Reference and Reporting Guide for Preparing State and Institutional Reports on the Quality of Teacher Preparation* (available at <https://title2.ed.gov>). The federal government is charged with making data from state reports widely and publicly available. Westat, a contractor to the federal government, has assembled the reports and made them available on the web.

At this point the federal government has not evaluated the information and data in the state reports. Federal analyses of these reports will be presented in the Secretary of Education's first annual report on the quality of teacher preparation in the nation due by April 2002. Title II also requires preparing the Secretary's report.

This year is the first time that states, using reports from institutions of higher education with teacher preparation programs and other information, have reported to the federal government on the quality of teacher preparation. These reports represent the efforts and support of many agencies, institutions, and individuals.

The U.S. Department of Education welcomes comments and suggestions concerning these state reports. Comments and suggestions can address any facet of them, from mode of presentation to data quality. Please email them to title2@westat.com.

This website provides the Title II data for each state. States were required to submit the information for the first annual report on October 9, 2001. To begin, please select a state from the map below. You can also choose a state or territory from the drop-down menu located below the map.

This site is best viewed with Internet Explorer version 4 or above using 800x600 resolution.

[Select a State](#)



Glossary

Introduction

Academic Year

Aggregate Pass Rate

Alternative Route to Certification or Licensure

Cohort of Program Completers

Cut Score

Elementary School

High and Low Poverty Districts

Initial Certification

Institution of Higher Education

Pass Rate

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Reporting to the General Public

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Student

Sufficient Content Knowledge

Summary Pass Rate

Supervised Practice Teaching

Supervising Faculty

Teacher Certification/Licensure Assessment

Teacher Preparation Program

Teaching Candidate

Test Closure Date

Waiver

Introduction

Section 207 of the Higher Education Act, as amended, mandated the creation of a new reporting system on the quality of teacher preparation.

- Institutions of higher education with teacher preparation programs enrolling students receiving aid authorized by the Act must report annually to states on the pass rates of their graduates (or program completers) and other program information every April.
- States receiving funds authorized under the Act are required to report annually to the U.S. Department of Education on a number of aspects concerning the quality of teacher preparation in their state every October.
- The Secretary of Education is also required by section 207 to prepare annually a report on the quality of teacher preparation in the nation for the Congress and the public starting in

April 2002.

In mandating this new reporting system, section 207 also required that the Department of Education's National Center for Education Statistics (NCES) develop key definitions for terms and uniform reporting methods (including key definitions for the consistent reporting of pass rates on each assessment used by states in certifying or licensing new teachers). The NCES product is the *Reference and Reporting Guide for Preparing State and Institutional Reports on the Quality of Teacher Preparation* available on the web at <https://title2.ed.gov>.

This glossary lists the terms and definitions developed by NCES. For further details, please consult the guide cited above.

Academic Year: Any period of 12 consecutive months, as defined by the state.

Aggregate Pass Rate: See definition of "[pass rate](#)."

Alternative Route to Certification or Licensure: As defined by the state.

Cohort of Program Completers: Individuals who met all requirements of a state-approved teacher preparation program in a given [academic year](#). (See definition of "[program completer](#).")

Cut Score: The minimum score required by the state to pass a teacher certification or licensure assessment.

Elementary School: [A] day or residential school which provides elementary education, as determined under State law. (See section 14101(14) of the Elementary and Secondary Education Act.)

High and Low Poverty Districts: The U.S. Department examined several methods to determine the high poverty districts for the Title II waiver data collection. The Department decided to adopt a state approach since it will not be comparing states with one another. Using the Census data, which have been mapped to school districts, we calculated a child poverty rate for each district in your state. The child poverty rate is number of children age 5-17 divided by the total number of children age 5-17 living in the district.

The child poverty rates were rank ordered from highest to lowest. The rates were rounded to the nearest 100th. Any district falling into the top quartile (the top 25%) have been defined as "high poverty". There is no numeric adjustment.

The district boundaries were mapped with 2000 Census Data. The poverty numbers are from the 1997 Poverty Update. If you'd like to learn more about how Census arrived at its poverty estimates, follow this link: www.census.gov/hhes/www/saipe.html.

The Census file includes only regular school districts with the following NCES codes (this is the standard NCES district definition):

- local school district that is not a component of a supervisory union
- local school district component of a supervisory union sharing a superintendent and administrative services with other local school districts.

It does NOT include:

- charter schools
- DoD Schools (although non-DoD public schools on military bases are included because these

are part of the regular public school system).

Initial Certification: As specified in State Questionnaire Ic. - as defined by the state.

Institution of Higher Education: Section 101(a) of the Higher Education Act provides a general definition of "institution of higher education," as follows:

"For purposes of this Act, other than Title IV [Student Financial Assistance], the term 'institution of higher education' means an educational institution in any State that -

1. admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
2. is legally authorized within such State to provide a program of education beyond secondary education;
3. provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
4. is a public or other nonprofit institution; and
5. is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is a satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time."

Section 101(b) defines additional institutions that are included:

"For purposes of this Act, other than Title IV, the term 'institution of higher education' also includes -

1. any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a); and
2. a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1), admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located."

Pass Rate: The percentage of program completers who passed assessment(s) taken for initial certification or licensure in the field of preparation.

Single Assessment Pass Rate: The proportion of program completers who passed the assessment among all who took the assessment.

Aggregate Pass Rate: The proportion of program completers who passed all the tests they took in each of six skill or knowledge areas, among all program completers who took one or more tests in each area.

Summary Pass Rate: The proportion of program completers who passed all tests they took for their area of specialization among those who took one or more tests in their specialization areas.

Program Completer: A person who has met all the requirements of a state-approved teacher preparation program. Program completers include all those who are documented as having met such requirements. Documentation may take the form of a degree, institutional certificate, program credential, transcript, or other written proof of having met the program's requirements.

In applying this definition, the fact that an individual has or has not been recommended to the state for initial certification or licensure may *not* be used as a criterion for determining who is a program completer.

Reporting to the General Public: Making the information in institutional and state reports available widely and publicly to members of the public interested in the performance of the institution's teacher preparation program. For institutions, this includes providing the required information in publications such as "school catalogues and promotional materials sent to potential applicants, secondary guidance counselors, and prospective employers of the institution's graduates." (See section 207(f)(2) of Title II.)

Reporting to the Secretary: Submitting annual state reports to the Office of Postsecondary Education in the US Department of Education.

Reporting to the State: Submitting annual institutional reports to the state agency, commission, or board, in the state in which the institution is located, that is responsible for preparing the state report under section 207.

Secondary School: "A] day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12." (See section 14101(25) of the Elementary and Secondary Education Act.)

Single Assessment Pass Rate: See definition of "[pass rate](#)."

State: Any of the states of the United States, as well as the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Freely Associated States (the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau).

Student: An individual enrolled in a teacher preparation program leading to an initial state teaching certificate or license.

Sufficient Content Knowledge: For a subject-area teacher, having "sufficient content knowledge" means that the teacher holds at least a bachelor's degree and demonstrates a high level of competency in all subject areas in which he or she teaches through-

- Completing an academic major in each of the subject areas in which he or she provides instruction, or
- Passing the state's assessments of subject-area knowledge (however a state chooses to define "passing" for this purpose).

Summary Pass Rate: See definition of "[pass rate](#)."

Supervised Practice Teaching: Practice teaching or internship in elementary or secondary schools required either by the state or the entity offering the program as a condition for completion of a teacher preparation program or for being considered for initial state licensure or certification and supervised by faculty as defined below.

Supervising Faculty: All persons who the institution regards as having faculty status, who were assigned by the teacher preparation program to provide supervision and evaluation of student teaching, and who have an administrative link or relationship to the teacher preparation program.

Teacher Certification/Licensure Assessment: A test or other structured method that measures the qualifications of prospective teachers, has a pass-fail outcome, and is used by the state for teacher certification or licensure.

Teacher Preparation Program: A state-approved course of study, the completion of which signifies that an enrollee has met all the state's educational and/or training requirements for initial certification or licensure to teach in the state's elementary or secondary schools. A teacher preparation program may be either a regular program or an alternative route to certification, as defined by the state. Also, it may be within or outside an institution of higher education.

In applying this definition, states and institutions may not determine that a teacher preparation program concludes after an individual has passed all examinations the state uses for initial certification or licensure, unless the state or institution requires that an individual pass these examinations before it will confer a degree, institutional certificate, program credential, transcript, or other proof of having met the program's requirements.

In addition, for the purpose of reporting, the guide considers all regular teacher preparation programs at a single institution of higher education to be a single program.

Teaching Candidate: A completer of a teacher preparation program who has taken one or more assessments used by the state in which the program is located for initial teacher certification or licensure.

Test Closure Date: The date, specified by the state, after which test results will not be included in pass rates for an academic year cohort.

Waiver: Any temporary or emergency permit, license, or other authorization that permits an individual to teach in a public school classroom without having received an initial certificate or license from that state or any other state. Teachers without an initial certificate or license from any state should be included in the waiver count if they:

- Hold temporary or emergency licenses or permits
- Are pursuing an alternative route to certification
- Are teaching as long-term substitutes

For Title II purposes, the waiver counts do not include teachers who received an initial certificate or license in another states, who are teaching out-of-field, or teaching on provisional licenses that only require teaching before full certification.

State Pages Links:

[Introduction](#) | [Standards](#) | [Certification](#) | [Assessments](#)
[Program Performance](#) | [Waivers](#) | [Teacher Quality](#) | [Supplemental](#)

[Select a State](#) | [Title II Home Page](#)

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EXHIBIT 18(b)

Higher Education Act Title II

Reporting Reference and User Manual

August 2006

**U.S. Department of Education
Office of Postsecondary Education**



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APPENDIX B

Glossary

Academic year: Any period of 12 consecutive months, as defined by the state.

Aggregate pass rate: See definition of “*pass rate*.”

Alternative route to certification or licensure: As defined by the state.

Cohort of program completers: Individuals who met all requirements of a state-approved teacher preparation program in a given *academic year*. (See definition of “*program completer*.”)

Cut score: The minimum score required by the state to pass a teacher certification or licensure assessment.

Elementary school: [A] day or residential school which provides elementary education, as determined under State law. (See section 14101(14) of the *Elementary and Secondary Education Act*.)

High- and low poverty districts: High-poverty districts are determined using the quartile of the highest percentage of children living in poverty based on estimates generated by the Small Area Income and Poverty Estimates (SAIPE) program. The poverty data file will be prepared for states annually and will be available at www.title2.org. The estimates provided are only for local educational agencies (LEA) or school districts identified in the U.S. Census Bureau's school district mapping project. This project's survey asks each state's department of education for a list of all schools districts and their boundaries. The school district boundary update is conducted biennially and identifies school districts that are eligible for Title I funding under the No Child Left Behind Act of 2001. The population and poverty estimates for each estimate-year are produced for all school districts identified in the most recent boundary update. The Census Bureau uses the most current list of school districts and associated geography because it allows for more efficient allocation of funds under the No Child Left Behind Act of 2001, for which the estimates are produced. For more information about the SAIPE data, visit <http://www.census.gov/hhes/www/saipe/>.

For charter schools, states will need to include data for teachers if 1) the charter schools are considered to be LEAs, and 2) the state requires teachers in those schools to meet the same requirements for initial certification as any other public school teacher. For more information about when charter schools (or any other LEA not listed in the Census Bureau's most current data) would need to be included in the quartiles, contact the Department's Title II Service Center for further assistance or visit the Title II web page at [<http://www.title2.org>](http://www.title2.org).

Low-poverty school districts are defined as all other districts in the state.

Highly qualified teachers in alternative routes: Any teacher who has obtained full state certification (whether he or she has achieved certification through traditional or alternate routes), has a 4-year college degree and has demonstrated subject matter competence in each of the core academic subjects in which he or she is or will be teaching is considered to be “highly qualified” under the law. Teachers who are participating in alternate route programs may be considered to meet the certification requirements of the definition of a highly qualified teacher (and not be counted as on a waiver) if they are permitted by the state to assume functions as regular classroom teachers only for a specified period of time not to exceed three years and demonstrate satisfactory progress toward full certification in their program as prescribed by the state. Their alternate route program must provide high-quality professional development that is sustained, intensive and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching. Teachers in such a program must also participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program.

Initial certification: As specified in State Questionnaire Ic. – as defined by the state. States are to provide information on degree, coursework, assessment, supervised teaching experiences and other requirements for each Type A/Level I, Type B/Level II and Type C/Level III certificate, as defined by the National State Directors of Teacher Education and Certification (NASDTEC), issued to educators. Type A/Level I certificates are issued upon completion of an approved teacher preparation program to an applicant who has met the requirements of the state, but has not completed ancillary requirements which must be met before issuance of a Type B/Level II certificate. Type B/Level II certificates are issued after the completion of an approved program and all ancillary requirements; or after the completion of an alternative route program, all post-secondary degree and ancillary requirements and successfully completing not less than 27 months of professional employment in the function covered by the certificate. Type C/Level III certificates are issued after completion of all Type B/Level II certification requirements and any advanced requirements established by the state.

Institution of Higher Education: Section 101(a) of the *Higher Education Act* provides a general definition of “institution of higher education,” as follows:

“For purposes of this Act, other than Title IV [Student Financial Assistance], the term ‘institution of higher education’ means an educational institution in any State that —

- 1.) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
- 2.) is legally authorized within such State to provide a program of education beyond secondary education;
- 3.) provides an educational program for which the institution awards a bachelor’s degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;

- 4.) is a public or other nonprofit institution; and
- 5.) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is a satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time."

Section 101(b) defines additional institutions that are included:

"For purposes of this Act, other than Title IV, the term 'institution of higher education' also includes —

- 1.) any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a); and
- 2.) a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1), admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located."

Pass rate: The percentage of program completers who passed assessment(s) taken for initial certification or licensure in the field of preparation.

Single assessment pass rate: The proportion of program completers who passed the assessment among all who took the assessment.

Aggregate pass rate: The proportion of program completers who passed all the tests they took in each of six skill or knowledge areas, among all program completers who took one or more tests in each area.

Summary pass rate: The proportion of program completers who passed all tests they took for their area of specialization among those who took one or more tests in their specialization areas.

Program completer: A person who has met all the requirements of a state-approved teacher preparation program. Program completers include all those who are documented as having met such requirements. Documentation may take the form of a degree, institutional certificate, program credential, transcript or other written proof of having met the program's requirements. In applying this definition, the fact that an individual has or has not been recommended to the state for initial certification or licensure may *not* be used as a criterion for determining who is a program completer.

Reporting to the general public: Making the information in institutional and state reports available widely and publicly to members of the public interested in the performance of the institution's teacher preparation program. For institutions, this includes providing the required information in publications such as "school catalogues and promotional materials sent to potential applicants, secondary guidance counselors, and

prospective employers of the institution's graduates." (See section 207(f)(2) of Title II.)

Reporting to the Secretary: Submitting annual state reports to the Office of Postsecondary Education in the U.S. Department of Education.

Reporting to the state: Submitting annual institutional reports to the state agency, commission, or board, in the state in which the institution is located, that is responsible for preparing the state report under section 207.

Secondary school: "[A] day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12." (See section 14101(25) of the *Elementary and Secondary Education Act*.)

Single assessment pass rate: See definition of "pass rate."

State: Any of the states of the United States, as well as the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Freely Associated States (the Republic of the Marshall Islands, the Federated States of Micronesia and the Republic of Palau).

Student: An individual enrolled in a teacher preparation program leading to an initial state teaching certificate or license.

Subject areas for waiver reporting: The content areas are the core content areas defined by the *No Child Left Behind Act*—English/reading/language arts, mathematics, science, foreign language, civics/government, economics, arts, history and geography—plus special education, bilingual education/ESL and career/technical education. A state may add other categories as necessary.

Summary pass rate: See definition of "pass rate."

Supervised practice teaching: Practice teaching or internship in elementary or secondary schools required either by the state or the entity offering the program as a condition for completion of a teacher preparation program or for being considered for initial state licensure or certification and supervised by faculty as defined below.

Supervising Faculty: All persons whom the institution regards as having faculty status, who were assigned by the teacher preparation program to provide supervision and evaluation of student teaching and who have an administrative link or relationship to the teacher preparation program.

Teacher certification/licensure assessment: A test or other structured method that measures the qualifications of prospective teachers, has a pass-fail outcome and is used by the state for teacher certification or licensure.

Teacher preparation program: A state-approved course of study, the completion of which signifies that an enrollee has met all the state's educational and/or training requirements for initial certification or licensure to teach in the state's elementary or secondary schools. A teacher preparation program may be either a regular program or an alternative route to certification, as defined by the state. Also, it may be within or outside an institution of higher education.

In applying this definition, states and institutions may *not* determine that a teacher preparation program concludes after an individual has passed all examinations the state uses for initial certification or licensure, unless the state or institution requires that an individual pass these examinations before it will confer a degree, institutional certificate, program credential, transcript or other proof of having met the program's requirements.

In addition, for the purpose of reporting, the *Reporting Reference and User Manual* considers all regular teacher preparation programs at a single institution of higher education to be a single program.

Teaching candidate: A completer of a teacher preparation program who has taken one or more assessments used by the state in which the program is located for initial teacher certification or licensure.

Test closure date: The date, specified by the state, after which test results will not be included in pass rates for an academic year cohort.

Waiver: Any temporary, provisional or emergency permit, license or other authorization that permits an individual to teach in a public school classroom without having received an initial certificate or license from that state. Those teachers participating in alternate routes who meet the criteria for being highly qualified under the *No Child Left Behind Act* are excluded from being counted as on a waiver (see definition of Highly Qualified Teachers in Alternate Routes). Also excluded are those teachers who are short- or long-term substitute teachers (as defined by the state), but included are those who are regular full-time or part-time classroom teachers.

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EXHIBIT 19

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EXHIBIT 19(a)



State Of California
Commission On Teacher Credentialing
Certification, Assignment and Waivers Division
Box 944270
Sacramento, CA 94244-2700

Telephone:
(916) 445-7254 or (888) 921-2682
E-mail: credentials@ctc.ca.gov
Website: www.ctc.ca.gov

MULTIPLE SUBJECT TEACHING CREDENTIAL Requirements for Teachers Prepared in California

The Multiple Subject Teaching Credential authorizes the holder to teach in a self-contained classroom such as the classrooms in most elementary schools. However, a teacher authorized for multiple subject instruction may be assigned to teach in any self-contained classroom (preschool, K-12, or in classes organized primarily for adults). In addition, the holder of a Multiple Subject Teaching Credential may serve in a core or team teaching setting.

All candidates who complete their teacher preparation through a [Commission-approved program](#) in California must be formally recommended for the credential by the college or university where the program was completed. Programs will vary slightly from college to college, but all programs will include specific requirements established by the Commission. An overview of requirements is provided below.

Requirements for the Preliminary Credential

The preliminary credential is issued for a maximum of five years. If requirements for the clear credential are not completed before the expiration of the preliminary, the holder will be unable to teach in California's public schools with that credential until those requirements are met and the document is renewed.

Applicants must satisfy **all** of the following requirements for the Five-Year Preliminary Teaching Credential:

1. Complete a baccalaureate or higher degree, except in professional education, from a regionally-accredited college or university
2. Satisfy the [basic skills requirement](#). See Commission leaflet [CL-667](#), entitled [Basic Skills Requirement](#) for additional information.
3. Complete a [multiple subject teacher preparation program](#) including successful student teaching, and obtain a formal recommendation for the credential by the California college or university where the program was completed
4. Verify subject matter competence by **one** of the following two methods:
 - a. Achieve a passing score on the appropriate subject matter examination(s). Information regarding the appropriate subject matter examination(s), including passing scores and registration, can be found in Commission leaflet [CL-674M \[pdf\]](#), entitled *Verifying Subject Matter Competence by Examination*.
 - b. Complete a [Commission-approved elementary subject-matter program](#) or its equivalent and obtain verification of completion from the authorized person in the education department of a California college or university with an accredited program. This option is only available to those individuals who completed the subject matter program and enrolled in a teacher preparation program prior to July 1, 2004. For individuals enrolled in blended programs, candidates must be continuously enrolled and complete either a Ryan blended program by December 31, 2008 or an SB 2042 blended program by June 30, 2009.
5. Pass the Reading Instruction Competence Assessment ([RICA](#)). Individuals who hold a valid California teaching credential which was issued based upon completion of a teacher preparation program including student teaching, are exempt from this requirement. Visit the Commission's website or the National Evaluation Systems (NES) website at www.rica.nesinc.com for more information.
6. Satisfy the Developing English Language Skills, including Reading requirement by completing a comprehensive reading instruction course that includes the following: the systematic study of phonemic awareness, phonics, and decoding; literature, language and comprehension; and diagnostic and early intervention techniques
7. Complete a course (two semester units or three quarter units) in the provisions and principles of the U.S. Constitution or pass an examination given by a regionally-accredited college or university
8. Complete foundational computer technology course work that includes general and specialized skills in the use of computers in educational settings

Requirements for the Clear Credential

Individuals who complete a teacher preparation program and receive a five-year preliminary credential must earn a clear credential by completing **one** of the following three options:

Option 1

Complete a Commission-approved [Professional Teacher Induction Program](#) through an approved school district, county office of education, college or university, consortium, or private school. The induction program includes the advanced study of health education, special populations, computer technology, and teaching English learners.

Individuals applying for the clear credential under Option 1 must submit their application through their approved Induction Program sponsor.

Holders of SB 2042 preliminary credentials issued on or after August 30, 2004 must complete Option 1. Holders of SB 2042 preliminary credentials issued prior to August 30, 2004 may complete Option 1 or Option 2.

Option 2

Complete a Commission-approved SB 2042 fifth year of study completed at a California college or university, securing that institution's formal recommendation for the clear credential. The following must also be verified with the application for the clear credential:

- advanced course work in health education that includes, but is not limited to, nutrition; the physiological and sociological effects of alcohol, narcotics, and drug abuse; and the use of tobacco
- advanced course work in the laws, methods, and requirements for providing educational opportunities to special populations in the regular classroom
- advanced course work in computer technology including the use of computers in educational settings
- advanced course work in teaching English learners

Option 2 is only available to holders of SB 2042 preliminary credentials issued prior to August 30, 2004. Holders of SB 2042 preliminary credentials issued on or after August 30, 2004 must complete option 1.

Individuals applying for the clear credential under Option 2 must contact their California college or university and obtain a formal recommendation. If an individual opts to complete the fifth year, and the advanced study course work, the course work must be completed **after** the issuance date of the Five-Year Preliminary Multiple Subject Teaching Credential.

Option 3

Teachers who are certified by the [National Board of Professional Teaching Standards](#) in one of the qualifying subjects listed below will be issued a Clear Multiple Subject Teaching Credential. This includes those who obtained National Board Certification after their California Preliminary Multiple Subject Teaching Credential was issued.

National Board Certification:

Early Childhood (ages 3 – 8)/Generalist

Middle Childhood (ages 7 – 12)/Generalist

Individuals applying for the clear credential under Option 3 may apply directly to the Commission for a clear teaching credential by submitting **all** of the following:

1. Photocopy of National Board Certification
2. Completed application ([form 41-4](#)), and, if not previously submitted to the Commission, a completed LiveScan receipt ([form 41-LS](#))
3. Application [processing fee](#)

Private School Experience

Individuals who have three or more years teaching experience in a private school should refer to the information leaflet entitled *Single Subject and Multiple Subject Teaching Credentials – Requirements for Teachers with Private School Experience* ([CL-834](#)) for information on additional ways to qualify.

Reference: California Education Code, Sections 44251, 44252, 44259, 44280, 44281, 44283, 44310, and 44335; and Title 5, California Code of Regulations, Sections 80413 and 80424

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EXHIBIT 19(b)



State Of California
California Commission On Teacher Credentialing
Box 944270
1900 Capitol Avenue
Sacramento, CA 94244-2700

Telephone:
(916) 445-7254 or (888) 921-2682
E-mail: credentials@ctc.ca.gov
Web site: www.ctc.ca.gov

DISTRICT INTERN CREDENTIAL for Multiple Subject, Single Subject and Education Specialist Instruction Teaching

The District Intern Credential is an alternative route to earn a teaching credential. **Individuals must contact the district sponsor for specific program requirements.**

Requirements for the District Intern Credential

Applicants must satisfy **all** of the following requirements:

1. For all authorizations:

- possess a baccalaureate or higher degree from a regionally-accredited college or university
- pass the California Basic Educational Skills Test (CBEST) (For more information, contact the CBEST program, National Evaluation Systems, Inc., P.O. Box 340880, Sacramento, CA 94834-0880, 916-928-4001, 800-262-5080, or www.cbest.nesinc.com)
- complete a course (two semester units or three quarter units) in the Provisions and Principles of the U.S. Constitution, **or** pass an examination given by a regionally-accredited college or university
- statement completed by the governing board of the employing agency verifying that the District Intern will be assisted and guided throughout the training period by a certificated employee who has been designated per California Education Code Section 44830.3(a)
- first-time applicants must submit either a Livescan receipt ([form 41-LS](#)) and a completed Character and Identification Clearance Application ([form 41-CIC](#)), or two fingerprint cards (FD-258), fingerprint processing fees, and a completed Character and Identification Clearance Application ([form 41-CIC](#))

2. For the grade 6–12 specified subject authorization, individuals must satisfy the following requirements:

- a. verify knowledge of the subject to be taught by **one** of the following methods:
 - 1) complete a [Commission-approved subject-matter preparation program](#), or
 - 2) pass the appropriate subject examination(s) as explained in Verifying Subject Matter Competence by Examination (leaflet [CL-674S](#)), or
 - 3) for specialized science subjects only, individuals may either take and pass the appropriate subject matter examination(s) or obtain verification of completion of subject matter course work from the Commission on Teacher Credentialing as explained in [Coded Correspondence 03-0010](#).

The statutory single subjects available for the single subject credential are listed below:

Agriculture	Languages other than English (specify)
Art	Mathematics
Biological Sciences (Specialized)	Music
Business	Physical Education
Chemistry (Specialized)	Physics (Specialized)
English	Science: Biological Sciences
Foundational-Level Mathematics	Science: Chemistry
Geosciences (Specialized)	Science: Geosciences
Health Science	Science: Physics
Home Economics	Social Science
Industrial and Technology Education	

(continued)

- b. for the BCLAD Emphasis individuals must verify passage of the speaking component of the Bilingual, Crosscultural, Language and Academic Development examination in the target language (For information on the BCLAD examination, contact National Evaluation Systems, Inc., P.O. Box 340819, Sacramento, CA 95834-8019, (916) 928-4002, or visit their website at www.clad.nesinc.com)
- 3. For the grade K–8 self-contained classroom and core setting authorization individuals must satisfy the following requirements:
 - a. verify knowledge of the subject to be taught by one of the following two methods:
 - 1) achieve a passing score on the appropriate subject matter examination(s). Information regarding subject matter examination(s), including passing scores and registration, can be found in Verifying Subject Matter Competence by Examination leaflet [CL-674M](#).
 - 2) complete a Commission-approved elementary subject-matter program or its equivalent and obtain verification of completion from the authorized person in the education department of a California college or university with an accredited program (This option is only available to those individuals who completed the subject matter program and enrolled in a district intern program prior to July 1, 2004.)
 - b. for the BCLAD Emphasis individuals must verify passage of the speaking component of the Bilingual, Crosscultural, Language and Academic Development examination in the target language (For information on the BCLAD examination, contact National Evaluation Systems, Inc., P.O. Box 340819, Sacramento, CA 95834-8019, (916) 928-4002, or visit their website at www.clad.nesinc.com)
- 4. For Education Specialist authorizations, individuals must satisfy all of the requirements as described in 1, and 2 or 3 above.

Authorization

The District Intern Credential with grades K-8 authorizes the holder to teach in a self-contained classroom such as the classrooms found in most elementary schools. In addition, the holder may serve in a core or team teaching setting. This credential also authorizes the holder to teach English language development and specially designed academic instruction in English to English learners. The BCLAD Emphasis allows the holder to teach English language development, specially designed academic instruction in English, and subject matter instruction delivered in the primary language to English learners.

The District Intern Credential with grades 6-12 authorizes the holder to teach the specific subject(s) named on the document in departmentalized classes such as those found in most middle and high schools. This credential also authorizes the holder to teach English language development and specially designed academic instruction in English to English learners. The BCLAD Emphasis allows the holder to teach English language development, specially designed academic instruction in English, and subject matter instruction delivered in the primary language to English learners.

The Education Specialist Authorization authorizes the holder to teach individuals with Mild to Moderate Disabilities in grades K-12 and in classes organized primarily for adults.

Period of Validity

The Multiple Subject and Single Subject District Intern Credentials are valid for two calendar years. The Education Specialist District Intern Credential is valid for three years. The governing board may request a one-calendar-year extension of the certificate if the District Intern needs additional time to successfully complete the Professional Development Plan and experience requirements.

The Professional Development Plan

The district that employs a District Intern must have developed and implemented a Professional Development Plan, in consultation with an accredited institution that offers Commission-approved programs of teacher preparation. The District Intern must be assisted and guided throughout the training program by either a person designated as a mentor teacher, a teacher selected through a competitive process, or a person employed by the accredited institution to supervise student teachers. A current Professional Development Plan must be on file at the Commission office before the District Intern Credential will be issued.

(continued)

The professional development plan will include the following:

1. Prior to beginning daily teaching responsibilities, completion of **one** of the following:
 - 120 clock-hours of training in child development and the methods of teaching the subjects and grade levels to which the District Intern is assigned
 - six semester units of course work in the same areas
2. Additional instruction in child development and teaching methods during the first semester of employment for interns who are employed in kindergarten or grades 1–6
3. Instruction in the culture and methods of teaching English learners during the first year of employment for interns who are employed in bilingual classrooms
4. Courses or training as determined by the governing board of the school district
5. A successful annual evaluation of the District Intern's performance

Completion of the District Intern Program

Each candidate for the Multiple Subject Teaching Credential, the Multiple Subject Teaching Credential with BCLAD Emphasis, or the Education Specialist Instruction Credential must pass the Reading Instruction Competence Assessment ([RICA](#)).

When the District Intern has successfully completed the Professional Development Plan, RICA (if needed), and the experience requirement, the governing board of the employer will recommend the District Intern for the appropriate credential:

- Multiple Subject Teaching Credential
- Single Subject Teaching Credential
- Multiple Subject Teaching Credential with a BCLAD Emphasis
- Single Subject Teaching Credential with a BCLAD Emphasis
- Education Specialist Instruction Teaching Credential

Program Information

Districts needing additional information regarding developing a district intern program should contact Dr. Michael McKibbin at the Commission office: (916) 323-6515.

[Click Here for Commission Approved Professional Preparation Programs](#)

Reference: California Education Code Sections 44259, 44325, 44328, and 44830.3

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EXHIBIT 19(c)



State Of California
 California Commission On Teacher Credentialing
 Box 944270
 1900 Capitol Avenue
 Sacramento, CA 94244-2700

Telephone:
 (916) 445-7254 or (888) 921-2682
 E-mail: credentials@ctc.ca.gov
 Web site: www.ctc.ca.gov

DISTRICT INTERN CREDENTIAL

You have been issued a District Intern Credential under the provisions of California Education Code Sections 44259 and 44830.3. You must complete two years of experience in a classroom teaching the specific subject(s) and grades authorized by the credential.

The professional development plan will include the following:

1. Prior to beginning daily teaching responsibilities, completion of **one** of the following:
 - a. 120 clock-hours of training in child development and the methods of teaching the subjects and grade levels to which you are assigned
 - b. six semester units of course work in the same areas
2. Additional instruction in child development and teaching methods during the first semester of employment for interns who are employed in kindergarten or grades 1–6
3. Instruction in the culture and methods of teaching English learner students during the first year of employment for interns who are employed in bilingual classrooms
4. Other courses or training as determined by the governing board of the school district
5. An annual evaluation of your performance

When you have successfully completed the Professional Development Plan, RICA*, and the specified two years of experience, the employer will recommend you for the appropriate credential:

- Preliminary Multiple Subject Teaching Credential with English learner authorization
- Preliminary Multiple Subject Teaching Credential with a BCLAD Emphasis
- Preliminary Single Subject Teaching Credential with English learner authorization
- Preliminary Single Subject Teaching Credential with a BCLAD Emphasis
- Preliminary Level I Education Specialist Instruction Credential

A one-calendar-year extension of the District Intern Credential may be requested by your employer if you need additional time to successfully complete the Professional Development Plan and the experience requirements.

Your employer should use the form below for recommending for the preliminary credential.

*RICA (Reading Instruction Competence Assessment) is required for Multiple Subject/Multiple Subject with BCLAD Emphasis Teaching Credentials and Education Specialist Instruction Credentials (except Early Childhood Special Education) only.

The employer is requested to notify the Commission if the District Intern withdraws from the program.

(continued)

**RECOMMENDATION FOR PRELIMINARY OR LEVEL I TEACHING
CREDENTIAL UPON COMPLETION OF DISTRICT INTERN PROGRAM**

Date: _____

Name of Applicant: _____ *First* _____ *Middle* _____ *Last* _____

Social Security Number: _____

The applicant was employed at:

Name of School/Agency _____

Name of District _____

Name of County _____

Directions for the Employer

To recommend the holder of a District Intern Credential for a Preliminary or Level I Teaching Credential, complete Sections A and B below. To request an additional year on the District Intern Credential, complete only Section C.

Section A

The above-named applicant has completed the district program and has served successfully for

- two years full-time as an intern teacher, **or**
- two years as a bilingual intern teacher **and**
- passed the RICA

Employer information:

Name of Employer (print or type)

Title of Employer

Signature of Employer

Date

Section B

The above-named applicant is recommended by the governing board of the employing agency for the Preliminary or Level I Teaching Credential pursuant to California Education Code Section 44259.

Employing agency information:

Name of School Board Member or Designee (print or type)

Title of School Board Member or Designee

Signature of School Board Member or Designee

Date

Section C

The governing board of the employing agency requests the issuance of a one-calendar-year extension of the District Intern Credential to the above-named applicant. An application ([form 41-4](#)) and fee is attached.

Employing agency representative information:

Name of School Board Member or Designee (print or type)

Title of School Board Member or Designee

Signature of School Board Member or Designee

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EXHIBIT 19(d)



State Of California
 California Commission On Teacher Credentialing
 Box 944270
 1900 Capitol Avenue
 Sacramento, CA 94244-2700

Telephone:
 (916) 445-7254 or (888) 921-2682
 E-mail: credentials@ctc.ca.gov
 Web site: www.ctc.ca.gov

UNIVERSITY INTERNSHIP CREDENTIALS

University Internship Credentials are issued to individuals who have enrolled in Commission-approved internship programs. These one- to two-year programs are administered by California colleges and universities in partnership with local school districts and are designed to provide participants with classroom experience while they complete course work requirements for the preliminary or professional clear credential. University Internship Credentials authorize the holder to serve, under the supervision of a Commission-approved college or university and the holder's employer, in the area or subject listed on the credential. University Internship Credentials are offered in the following areas:

- Multiple Subject Teaching
- Single Subject Teaching
- Multiple Subject Teaching with BCLAD Emphasis
- Single Subject Teaching with BCLAD Emphasis
- Education Specialist (Mild/Moderate, Moderate/Severe, Physical and Health Impairments, Deaf and Hard-of-Hearing, Visual Impairments, Early Childhood Special Education)
- Pupil Personnel Services (School Counseling and School Psychology)
- Administrative Services

Requirements for internship credentials vary depending upon the type of internship credential sought and the specific program requirements established by the college or university through which the internship will be completed. Contact the institution of your choice for more information regarding these programs.

[Click Here for Commission-Approved Professional Preparation Programs, or visit the Commission's website at \[www.ctc.ca.gov\]\(http://www.ctc.ca.gov\)](#)

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EXHIBIT 19(e)



State Of California
 Commission On Teacher Credentialing
 Certification, Assignment and Waivers Division
 Box 944270
 Sacramento, CA 94244-2700

Telephone:
 (916) 445-7254 or (888) 921-2682
 E-mail: credentials@ctc.ca.gov
 Website: www.ctc.ca.gov

PROVISIONAL INTERNSHIP PERMIT

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to fill an immediate staffing need by hiring an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully-credentialed teacher cannot be found.

The PIP is only available at the request of an employing agency. Individuals may not apply directly to the Commission for this document. Holders of the PIP are restricted to service with the employing agency requesting the permit. An employing agency is defined as a California public school district, county office of education, nonpublic school, charter school, or statewide agency.

The PIP is available in the areas of Multiple Subject, Single Subject, and Education Specialist. Individuals who were issued four or fewer emergency permits may be issued two PIPs as long as the employer requirements have been met. Individuals who were issued five emergency permits do not qualify for the PIP.

Requirements for Initial Issuance

1. Possession of a baccalaureate degree or higher from a regionally accredited college or university
2. Satisfy the [basic skills requirement](#). See Commission leaflet [CL-667](#), entitled [Basic Skills Requirement](#) for additional information.
3. Successful completion of course work for the permit type requested, as specified below:

- **Single Subject:** A degree major in the subject area or at least 18 semester units, or 9 upper division semester units, of course work in the subject to be listed on the permit*

For a permit in one of the science subjects, at least nine semester units must be in the specific science area. For a permit in one of the specialized science areas, **all** units must be completed in the area of the specialization.

The statutory subjects available for Single Subject Provisional Internship Permit are as follows:

Agriculture	Languages other than English (specify)
Art	Mathematics
Biological Sciences (Specialized)	Music
Business	Physical Education
Chemistry (Specialized)	Physics (Specialized)
English	Science: Biological Sciences
Foundational-Level Mathematics	Science: Chemistry
Geosciences (Specialized)	Science: Geosciences
Health Science	Science: Physics
Home Economics	Social Science
Industrial and Technology Education	

- **Multiple Subject:** A degree major in liberal studies or 40 semester units including 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three of the subject areas and an additional 10 semester units in a combination of two of the remaining subject areas*. Subject areas include language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

- **Education Specialist:** Complete the requirements for the Single Subject or Multiple Subject as listed above, or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students (experience as an aide is acceptable) or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education*

Areas of specialization for the Education Specialist PIP include:

Mild/Moderate Disabilities
Moderate/Severe Disabilities
Visual Impairments

Physical and Health Impairments
Deaf and Hard of Hearing

The PIP may not be issued in the disability area of Early Childhood Special Education alone as subject matter competence is not required for the issuance of a credential.

All course work must meet the following criteria:

- Must be completed at a regionally-accredited college or university
- Must be baccalaureate degree-applicable (non-remedial)
- Must be earned with a “C” grade or higher (“Pass” and “Credit” grades meet this requirement)

** Individuals who were issued an emergency permit in the same subject area of the requested PIP will not be required to submit verification of this requirement. If the subject matter requirement for the emergency permit was met by passage of all appropriate subject matter examinations, the individual will not qualify for the PIP.*

4. The employing agency must verify all of the following on Verification of Requirements for the Provisional Internship Permit (form CL-857) with each request for the Provisional Internship Permit:

- A diligent search has been conducted for a suitable credentialed teacher or suitable qualified internship teacher. Diligent search must include, but is not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. Copies of all recruitment efforts must be submitted with the application packet.
- The employer has provided orientation, guidance and assistance to the permit holder
- The employing agency will assist the permit holder in developing a personalized plan through an agency-defined assessment that would lead to meeting subject matter competence related to the permit
- The employing agency will assist the permit holder to seek and enroll in subject matter training, such as workshops or seminars and site-based courses along with training in test-taking strategies and will assist the permit holder in meeting subject matter competence related to the permit
- The candidate has been apprised of steps to earn a credential and enroll in an internship program
- The employing agency will ensure a notice of intent to employ the applicant in the identified position has been made

Public school districts must present this notice to the governing board in a public meeting with a signed statement from the superintendent, or his or her designee, and verification that the item was acted upon favorably. **This must be an action item on the agenda and not part of the consent agenda.** A copy of the agenda item must be submitted with the application packet.

County offices of education, nonpublic schools, statewide agencies, and charter schools must submit a copy of the dated public notice that was posted 72 hours prior to the position being filled.

5. Submit an application ([form 41-4](#)), [appropriate fees](#), and if not previously submitted, a LiveScan receipt ([form 41-LS](#))

One-Time Renewal

The employing agency may request a one-time only renewal of the PIP if the holder has taken **all** appropriate subject matter examinations appropriate to the credential that authorizes the service listed on the permit but not passed. The holder of an Education Specialist PIP must take all appropriate subject matter examinations as determined by the recommending college or university. The renewal packet should include an application ([form 41-REN](#)), a new Verification of Requirements for the Provisional Internship Permit (form CL-857), [processing fee](#), and appropriate documentation.

- *If the holder has passed all appropriate subject matter exams, he or she should contact a California college or university or school district with a [Commission-approved internship program](#) regarding enrollment.*

Authorizations

The Multiple Subject PIP authorizes the holder to teach in a self-contained classroom such as the classrooms in most elementary schools. However, a teacher authorized for multiple subject instruction may be assigned to teach in any self-contained classroom (preschool, K-12, or in classes organized primarily for adults). In addition, the holder of a Multiple Subject PIP may serve in a core or team teaching setting*.

The Single Subject PIP authorizes the holder to teach the specific subject(s) named on the credential in departmentalized classes such as those in most middle schools and high schools. However, a teacher authorized for single subject instruction may be assigned to teach any subject in his or her authorized fields at any grade level (preschool, grades K-12, or in classes organized primarily for adults)*.

The Education Specialist PIP authorizes the holder to teach in the area of specialization listed on the credential in the following settings: special day classes, special schools, home/hospital settings, correctional facilities, nonpublic schools and agencies, and resource rooms.

* All Provisional Internship Permits will be issued with an English learner authorization. This authorization allows the holder to teach English language development (also known as English as a Second Language or ESL) and specially designed academic instruction delivered in English (SDAIE) in the grade level(s) provided by their Multiple Subject, Single Subject, or Education Specialist authorization.

Period of Validity

The PIP will be issued for one year and is renewable only once upon completion of renewal requirements.

Reference: *Title 5, California Code of Regulations, Section 80021.1*

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EXHIBIT 19(f)



State Of California
 Commission On Teacher Credentialing
 Certification, Assignment and Waivers Division
 Box 944270
 Sacramento, CA 94244-2700

Telephone:
 (916) 445-7254 or (888) 921-2682
 E-mail: credentials@ctc.ca.gov
 Website: www.ctc.ca.gov

SHORT-TERM STAFF PERMIT

The Short-Term Staff Permit (STSP) became available on July 1, 2005. Created in response to the phasing out of emergency permits, it allows an employing agency to fill an acute staffing need when local recruitment efforts have been made but a fully-credentialed teacher cannot be found.

The STSP is only available at the request of an employing agency. Individuals may not apply directly to the Commission for this document. Holders of the STSP are restricted to service with the employing agency requesting the permit. An employing agency is defined as a California public school district, county office of education, nonpublic school, charter school, or statewide agency.

The STSP is available in the areas of Multiple Subject, Single Subject, and Education Specialist. Individuals who were issued four or fewer emergency permits may be issued a STSP. Individuals who were issued five emergency permits do not qualify for the STSP.

Requirements for Initial Issuance

1. Possession of a baccalaureate degree or higher from a regionally-accredited college or university
2. Satisfy the [basic skills requirement](#). See Commission leaflet [CL-667](#), entitled [Basic Skills Requirement](#) for additional information. Prelingually deaf applicants are exempt from the basic skills requirement.
3. Successful completion of course work for the permit type requested, as specified below:

- **Single Subject:** A degree major in the subject area or at least 18 semester units, or 9 upper division semester units, of course work in the subject to be listed on the permit*.

For a permit in one of the science subjects, at least nine semester units must be in the specific science area. For a permit in one of the specialized science areas, **all** units must be completed in the area of the specialization.

The statutory subjects available for Single Subject Short-Term Staff Permit are as follows:

Agriculture	Languages other than English (specify)
Art	Mathematics
Biological Sciences (Specialized)	Music
Business	Physical Education
Chemistry (Specialized)	Physics (Specialized)
English	Science: Biological Sciences
Foundational-Level Mathematics	Science: Chemistry
Geosciences (Specialized)	Science: Geosciences
Health Science	Science: Physics
Home Economics	Social Science
Industrial and Technology Education	

- **Multiple Subject:** A degree major in liberal studies or 40 semester units including 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three of the subject areas and an additional 10 semester units in a combination of two of the remaining subject areas*. Subject areas include language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science, and human development.
- **Education Specialist:** Complete the requirements for the Single Subject or Multiple Subject as listed above, or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students (experience as an aide is acceptable) or verify a minimum

of nine semester units of course work in special education or in a combination of special education and regular education*

Areas of specialization for the Education Specialist STSP include:

Mild/Moderate Disabilities	Physical and Health Impairments
Moderate/Severe Disabilities	Deaf and Hard of Hearing
Visual Impairments	Early Childhood Special Education

All course work must meet the following criteria:

- Must be completed at a regionally-accredited college or university
- Must be baccalaureate degree-applicable (non-remedial)
- Must be earned with a “C” grade or higher (“Pass” and “Credit” grades meet this requirement)

** Individuals who were issued an emergency permit in the same subject area of the requested STSP will not be required to submit verification of this requirement*

4. The employing agency must verify all of the following on Verification of Requirements for Short-Term Staff Permit ([form CL-859](#)) with each request:
 - Local recruitment efforts have been conducted for the STSP being requested
 - The employer has provided orientation to the curriculum and to techniques of instruction and classroom management to the permit holder
 - The employer has assigned a mentor teacher to the permit holder for the term of the STSP
 - Written justification for the STSP must be submitted to the Commission, signed by the employing agency’s Superintendent or designee. In the case of a state certified nonpublic school, the school director’s signature is required.
5. Submit an application ([form 41-4](#)), [appropriate fees](#), and if not previously submitted, a LiveScan receipt ([form 41-LS](#))

Authorizations

The Multiple Subject STSP authorizes the holder to teach in a self-contained classroom such as the classrooms in most elementary schools. However, a teacher authorized for multiple subject instruction may be assigned to teach in any self-contained classroom (preschool, K-12, or in classes organized primarily for adults). In addition, the holder of a Multiple Subject STSP may serve in a core or team teaching setting*.

The Single Subject STSP authorizes the holder to teach the specific subject(s) named on the credential in departmentalized classes such as those in most middle schools and high schools. However, a teacher authorized for single subject instruction may be assigned to teach any subject in his or her authorized fields at any grade level (preschool, grades K-12, or in classes organized primarily for adults)*.

The Education Specialist STSP authorizes the holder to teach in the area of specialization listed on the credential in the following settings: special day classes, special schools, home/hospital settings, correctional facilities, nonpublic schools and agencies, and resource rooms.

- * All Short-Term Staff Permits will be issued with an English learner authorization. This authorization allows the holder to teach English language development (also known as English as a Second Language or ESL) and specially designed academic instruction delivered in English (SDAIE) in the grade level(s) provided by their Multiple Subject, Single Subject, or Education Specialist authorization.

Period of Validity

The STSP will expire at the end of the employing agency’s school year and cannot be issued for more than one year. The permit is not renewable and is available to an individual once in a life time.

Reference: *Title 5, California Code of Regulations, Section 80021*

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EXHIBIT 19(g)

**State Of California
Commission On Teacher Credentialing**
Box 944270
Sacramento, CA 94244-2700
(916) 445-7254 or (888) 921-2682
E-mail: credentials@ctc.ca.gov
Website: www.ctc.ca.gov

EMERGENCY 30-DAY SUBSTITUTE TEACHING PERMIT

The Emergency 30-Day Substitute Teaching Permit authorizes the holder to serve as a day-to-day substitute teacher in any classroom, including preschool, kindergarten, and grades 1-12 inclusive. The holder may serve as a substitute for no more than 30 days for any one teacher during the school year, except in a special education classroom, where the holder may serve for no more than 20 days for any one teacher during the school year. This permit is valid for one year and is renewable.

Requirements for Initial Issuance

Individuals may submit their application packet directly to the Commission or through their employer. The application packet must include **all** of the following:

1. Official transcripts showing the conferral of a baccalaureate or higher degree from a regionally-accredited college or university
2. Satisfy the [basic skills requirement](#). See Commission leaflet [CL-667](#), entitled *Basic Skills Requirement* for additional information.
3. Completed application ([form 41-4](#)), and, if not previously submitted to the Commission, a completed LiveScan receipt ([form 41-LS](#)). Out-of-State residents have the option of submitting two fingerprint cards (FD-258) in lieu of a LiveScan receipt. If submitting fingerprint cards, current fingerprint [processing fees](#) must accompany the application packet.
4. Application [processing fee](#)

Requirements for Renewal

Emergency 30-Day Substitute Permits are renewable on the Commission's website at <https://teachercred.ctc.ca.gov/teachers/RenewableSearchProxy>.

Individuals may also submit their application for renewal directly to the Commission or through their employer. Applications for renewal submitted prior to the expiration date of the current permit will be valid for one year beginning the date the current permit expires. Applications for renewal submitted after the current permit expires will be valid for one year starting the date the application is submitted to the employing agency or to the Commission.

Renewal application packets must include **both** of the following:

1. Completed renewal application ([form 41-REN](#))
2. Application [processing fee](#)

Reference: Title 5, California Code of Regulations, Section 80025

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EXHIBIT 20



IMPROVING TEACHER QUALITY

NON-REGULATORY GUIDANCE



REVISED DRAFT

September 12, 2003

Academic Improvement and Teacher Quality Programs
Office of Elementary and Secondary Education
U.S. Department of Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE DEPUTY SECRETARY

September 12, 2003

Dear Colleagues:

I am pleased to share with you a revised version of the *Improving Teacher Quality Non-Regulatory Guidance*. We hope this guidance will be helpful as you work toward implementing the teacher quality provisions in *No Child Left Behind* and provide assistance and support for teachers around your State.

I want to encourage the State departments of education and related officials to take advantage of all the flexibility provided within the law to set certification standards that allow qualified individuals to enter teaching, target funds to improve teaching and learning through programs that work, and tailor this national initiative for excellence to the unique needs of your State.

In the coming months, the Department of Education's Teacher Assistance Corps will be visiting States to discuss these important issues. These groups of education experts, researchers, and practitioners are interested in hearing more about what is working in your State, sharing ideas that are working in other areas, providing advice on areas that are particularly challenging, and assisting States in setting and meeting goals. In this way, our offices can work together to determine the best way for your State to ensure that all children have excellent teachers.

Finally, thanks to you and your colleagues for your tireless efforts to improve education. America is on a fast track for increasing educational excellence. With this bold new law and support at the Federal, State, and local levels, the goal of leaving no child behind will soon become a reality.

In the next few weeks, we plan to consolidate this teacher quality guidance with expanded and updated guidance on the administration of the Title II, Part A *Improving Teacher Quality State Grants* program. Please do not hesitate to contact the Title II staff in the Office of Elementary and Secondary Education with any further questions or concerns. We are happy to assist in any way possible.

Sincerely,

Eugene W. Hickok
Acting Deputy Secretary

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A. OVERVIEW

The *No Child Left Behind Act of 2001* (NCLB), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), places a major emphasis upon the importance of teacher quality in improving student achievement. To help ensure that all teachers of core academic subjects are highly qualified no later than the end of the 2005-2006 school year, *Title II, Part A* of ESEA – the *Improving Teacher Quality State Grants program* – provides nearly \$3 billion a year to the States to prepare, train, and recruit high-quality teachers and principals. In 2002-03, approximately 93 percent of all school districts received *Title II, Part A* funds.

Since January 2002, State and local educational agencies, along with State agencies for higher education, have been working to implement the *Improving Teacher Quality State Grants* program. In designing their teacher training, recruitment and professional development activities, States must use scientifically based strategies that have been shown to increase student academic achievement. States are also required to develop annual measurable objectives to ensure that the State and its districts make progress each year in meeting the highly qualified teacher challenge.

The documents listed below provide important information regarding these funds and the need for highly qualified teachers.



The Secretary's *Second Annual Report on Teacher Quality* includes information on States' progress in raising standards for teachers while eliminating unnecessary barriers to teacher recruitment.

- As of October 2002, 35 States had developed and linked teacher certification requirements to student content standards and another 6 States were in the process of linking such standards.
- As of October 2002, all but 9 States had approved an alternative route to certification.
- 35 States require prospective teachers to hold a subject-area bachelor's degree for initial certification.
- All but 8 States require statewide assessments for beginning teachers and 32 States require teaching candidates to pass a test in at least one academic content area.
- However, many State regulations for certifying new teachers are still burdensome and impose a multitude of unnecessary conditions that teachers must meet before they are fully licensed to enter the classroom.



Education Week's *Quality Counts 2003* report shows that students in high-poverty schools are more likely to be taught by inexperienced teachers.

- At the *elementary level*, more than 13 percent of teachers in high-poverty schools have less than three years' experience, compared to fewer than 9 percent of teachers in low-poverty schools.
- At the *middle school level*, over 50 percent of students in high-poverty middle schools take a class with a teacher who hasn't acquired even a minor in the subject he/she teaches. This is compared to about 44 percent of middle school students nationwide.
- At the *high school level*:
 - About 32 percent of students in high-poverty secondary schools take a class with a teacher who hasn't acquired even a minor in the subject he/she teaches. This is compared to 22 percent of secondary school students nationwide.
 - Students in high-poverty secondary schools are twice as likely as those in low-poverty secondary schools to have a teacher who is not certified in the subject taught (26 percent versus 13 percent).
 - About 50 percent of all students in high-poverty secondary schools have teachers who have both majored in and become licensed in their subjects. This is compared to about 70 percent of all secondary students in low-poverty schools.

The *Improving Teacher Quality State Grants* program provides States and districts with the flexibility and opportunity to address the highly qualified teacher challenge in very creative ways. States may support the reform of traditional teacher training as well as the innovative expansion of alternative routes to teacher licensure. Additionally, *Title II, Part A* funds can support more effective in-service training and professional development for teachers currently in the classroom, with a focus on ensuring that teachers have a deep understanding of the core academic subjects they teach.

States are encouraged to reassess and restructure their certification systems and streamline these processes. States may also use program funds to address creatively such challenges as recruitment, retention, hiring, induction, professional development, and the need for more skilled principals and assistant principals to serve as effective school leaders.

This Guidance is intended to be a resource to State and local program administrators as they continue to work toward improving teacher quality and increasing student achievement. This version of the Non-regulatory Guidance includes new questions that

have arisen during program implementation, clarifies answers to prior questions, and removes questions that are now obsolete.

B. GENERAL INFORMATION

B-1. What is the purpose of the *Title II, Part A* program?

The purpose of *Title II, Part A* is to increase the academic achievement of all students by helping schools and school districts improve teacher and principal quality and ensure that all teachers are highly qualified. Through the program, State educational agencies (SEAs), local educational agencies (LEAs), and State agencies for higher education (SAHE) receive funds on a formula basis. Eligible partnerships consisting of high-need LEAs and institutions of higher education (IHE) may receive funds that are competitively awarded by the SAHE (see Section I).

In exchange, agencies that receive funds are held accountable to the public for improvements in academic achievement. *Title II, Part A* provides these agencies with the flexibility to use these funds creatively to address challenges to teacher quality, whether they concern teacher preparation and qualifications of new teachers, recruitment and hiring, induction, professional development, teacher retention, or the need for more capable principals and assistant principals to serve as effective school leaders.

B-2. Did this program exist prior to *No Child Left Behind*?

Title II, Part A replaces the Eisenhower Professional Development and the Class-Size Reduction programs. The Eisenhower program mostly focused on professional development in mathematics and science, while *Title II, Part A* can support teacher professional development across all core academic subjects. The importance of math and science remains a high priority, but many other activities are now allowed as well.

For the first time, States and LEAs are required to ensure that their strategies and funded activities are grounded in scientifically based research so that students benefit from teaching practices and methods that are based on what is known to work. *Title II, Part A* also gives schools and LEAs expanded flexibility to address their need for qualified teachers and principals not only through professional development for existing staff, but through efforts that include attracting qualified individuals into teaching and offering financial incentives and other structural changes to retain them.

B-3. How do the flexibility and transferability provisions of NCLB affect the *Title II, Part A* program?

The flexibility and transferability provisions, described in greater detail on the Department's website at www.ed.gov/nclb/freedom/local/flexibility/index.html, affect the *Title II, Part A* program as follows:

State-Flex (ESEA Sections 6141 through 6144)

An SEA with State-Flex authority may consolidate *Title II, Part A* funds that are available for State-level activities and State administration with certain other State-level funds, and use those funds for any ESEA purpose in order to make adequate yearly progress and advance the educational priorities of the State and the LEAs with which the State enters into performance agreements.

Within a State-Flex State, an LEA that enters into a performance agreement with its SEA may consolidate *Title II, Part A* funds with certain other Federal funds, and use those funds for any ESEA purpose consistent with the SEA's State-Flex plan in order to meet the State's definition of adequate yearly progress, improve student academic achievement, and narrow achievement gaps.

The SEA, and the LEAs with which the SEA enters into performance agreements, will provide for the equitable participation of students and professional staff in private schools consistent with Section 9501. Sections 9502, 9503, and 9504 apply to all services and assistance provided with the consolidated funds.

(Additional guidance on the applicability of the equitable participation requirements to the State-Flex program is provided in the State-Flex application package, available at www.ed.gov/legislation/FedRegister/announcements/2002-4/101102e.html.)

Local-Flex (ESEA Sections 6151 through 6156)

An LEA that enters into a Local-Flex agreement with the Secretary may consolidate *Title II, Part A* funds with certain other Federal funds and, consistent with the purposes of the Local-Flex program, use those funds for any ESEA purpose in order to meet the State's definition of adequate yearly progress, improve student academic achievement, and narrow achievement gaps.

The local flexibility demonstration agreement shall contain an assurance that the LEA agrees that in consolidating and using funds under the agreement, the LEA will provide for the equitable participation of students and professional staff in private schools consistent with Section 9501. Sections 9502, 9503, and 9504 apply to all services and assistance provided with the consolidated funds.

(Additional guidance on the applicability of the equitable participation requirements to the Local-Flex program is provided in the Local-Flex application package, available at www.ed.gov/legislation/FedRegister/other/2002-1/022202c.html.)

Transferability (ESEA Sections 6121 through 6123)

Under this flexibility authority, an SEA may transfer up to 50 percent of the non-administrative funds that it receives under certain Federal programs to other specified programs that address more effectively its unique needs or to its allocation under Part A of *Title I*. This authority allows a portion of an SEA's

State-level non-administrative funds to be transferred in to or out of the *Title II, Part A* program.

Likewise, an LEA (except an LEA identified for improvement or subject to corrective action under Section 1116(c)(9)) may transfer up to 50 percent of the funds allocated to it by formula under certain programs to its *Title II, Part A* allocation (or to other specified allocations) or to its allocation under Part A of *Title I*. An LEA may also transfer up to 50 percent of its *Title II, Part A* funds to certain other programs. (There are special transferability rules governing LEAs identified for improvement or corrective action.)

Each SEA or LEA that transfers funds under this section shall conduct consultations in accordance with Section 9501, if such a transfer moves funds from a program that provides for the participation of students, teachers, or other educational personnel, from private schools [Section 6123(e)(2)]. (Additional guidance on the application of the equitable participation requirements to the transferability authority is provided in the Department's transferability guidance, which is available on the Department's website at www.ed.gov/nclb/freedom/local/flexibility/index.html#trans.)

B-4. What is scientifically based research and how does it apply to this program?

Section 9101(37) of ESEA, as amended by *No Child Left Behind*, defines scientifically based research as “research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs.” The statute then explains that this kind of research:

1. Employs systematic, empirical methods that draw on observation or experiment;
2. Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
3. Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
4. Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
5. Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings, and

6. Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review. (It should be noted that a practitioner journal or education magazine are *not* the same as a peer-reviewed academic journal.)

The statute also requires that all SEA activities supported with program funds must be based on a review of scientifically based research. In addition, the SEA must maintain a written explanation of why it expects those activities to improve student academic achievement.

B-5. What general statutory and regulatory provisions apply to *Title II, Part A*?

Title IX of the ESEA contains general provisions that apply to *Title II, Part A*, as well as to other ESEA programs.

- Part A of *Title IX* contains definitions of many terms used in the ESEA.
- Part B of *Title IX* contains provisions regarding the consolidation of administrative funds.
- Part C contains provisions regarding consolidated State and local plans and applications.
- Part D contains provisions regarding waivers of statutory and regulatory requirements.
- Finally, Part E contains certain uniform provisions.

The General Education Provisions Act (GEPA), 20 U.S.C. 1221-1234i, also contains general statutory requirements applicable to most programs administered by the Department, including *Title II, Part A*. For instance, GEPA contains the “Tydings amendment,” which provides grantees an additional year to obligate funds under certain programs, including *Title II, Part A*. GEPA also includes provisions addressing such matters as forward funding, protection of students’ and parents’ privacy rights (FERPA), and various administrative appeal procedures.

There are no program-specific regulations for the *Title II, Part A* program. However, both the general provisions in Title 34 of the Code of Federal Regulations (CFR) Part 299 and the following parts of the Education Department General Administrative Regulations (EDGAR) apply to the program: 34 CFR Parts 76, 77, 80, 81, 82, 85, 97, 98, and 99. SEAs and LEAs are particularly encouraged to be familiar with Parts 76 and 80, as they address a range of matters important to the everyday administration of the *Title II, Part A* program.

B-6. Can funds from other programs authorized in *No Child Left Behind* be used to improve teacher quality?

Yes, other key programs authorized in NCLB provide funds that can be used to improve teacher quality. These include, but are not limited to:

- *Title I, Part A*, which requires that LEAs use at least 5 percent of their *Title I* funds for professional development activities to ensure that teachers who are not currently highly qualified meet that standard by the end of the 2005-06 school year [Section 1119(l)]. In addition, any school identified as in need of improvement for failing to make adequate yearly progress must spend 10 percent of its *Title I, Part A* funds on professional development, including teacher mentoring programs [Section 1116(c)(7)(A)(iii)].
- *Title I, Part B*, the *Reading First* program, which has grantees build on scientifically based reading research to implement comprehensive instruction for children in kindergarten through third grade. From the 20 percent State set-aside funds, 65 percent may be spent in preparing teachers through professional development activities so the teachers have tools to effectively help their students learn to read [Section 1202(d)(3)].
- *Title II, Part B*, the Mathematics and Science Partnerships program, which provides funding to SEAs to competitively establish IHE-LEA partnerships to enhance teacher subject-matter knowledge and the quality of teaching in mathematics and science [Section 2201(a)].
- *Title II, Part C*, the Troops-to-Teachers and Transition to Teaching programs, which support efforts to help school districts hire, train, and retain individuals from other careers and backgrounds as teachers in high-need schools [Sections 2303 and 2313].
- *Title II, Part D*, the Enhancing Education Through Technology program, under which each local recipient of funds must use at least 25 percent of those funds for ongoing, sustained, and high-quality professional development on the integration of advanced technologies into curriculum and instruction and on the use of those technologies to create new learning environments [Section 2416(a)].
- *Title III, Part A*, which authorizes LEAs to use formula grant funds for professional development of teachers providing instruction to students needing English language acquisition and language enhancement [Section 3111(a)(2)(A)].
- *Title V, Part A*, which authorizes LEAs to use formula grant funds to provide professional development activities carried out in accordance with

Title II, Part A, as well as to recruit, train, and hire highly qualified teachers to reduce class size [Section 5131(a)(1)].

- *Title VII, Part A*, the Indian, Native Hawaiian, and Alaska Native Education program, which requires a comprehensive program for meeting the needs of Indian children that, among other things, calls for professional development opportunities to ensure that teachers and other school professionals have been properly trained [Section 7114(b)(5)].

C. HIGHLY QUALIFIED TEACHERS

The purpose of *Title II, Part A* is to help States and school districts ensure that all students have effective teachers; that is, teachers with the subject-matter knowledge and teaching skills necessary to help all children achieve high academic standards, regardless of individual learning styles or needs. In this regard, the program provides substantial funding to help States and districts recruit, train, reward, and retain effective teachers. *Title II, Part A* and *Title I, Part A* also place particular emphasis on the need for States and districts to ensure that each teacher of a core academic subject meets certain minimum requirements on their way to becoming effective educators. These requirements – described in more detail below – are that highly qualified teachers will hold a bachelor’s degree, be fully licensed by the State, and demonstrate knowledge in the subject they are teaching.

All SEAs that receive *Title I, Part A* funds are required to develop a plan to have all teachers highly qualified no later than the end of the 2005-2006 school year. Each LEA within these States must ensure that all teachers of core academic subjects hired after the first day of the 2002–2003 school year and teaching in a program supported with *Title I, Part A* funds meet the highly qualified requirements. The LEA must also have a plan describing how it will meet the annual measurable objectives established by the SEA for ensuring that all teachers in the LEA are highly qualified by 2005-2006 [Section 1119(a)(1) and (3)].

General Information

C-1. What is the definition of a highly qualified teacher?

The requirement that teachers be highly qualified applies to all public elementary or secondary school teachers employed by a local educational agency who teach a core academic subject (see question C-2, below). “Highly qualified” means that the teacher:

1. Has obtained full State certification as a teacher or passed the State teacher licensing examination and holds a license to teach in the State, and does not have certification or licensure requirements waived on an emergency, temporary, or provisional basis;
2. Holds a minimum of a bachelor’s degree; and

3. Has demonstrated subject matter competency in each of the academic subjects in which the teacher teaches, in a manner determined by the State and in compliance with Section 9101(23) of ESEA.

The statutory definition includes additional elements that apply somewhat differently to new and current teachers, and to elementary, middle and secondary school teachers. The complete definition of “highly qualified teacher” is in Section 9101(23) of the ESEA and in Appendix A of this document.

C-2. What is meant by “core academic subjects”?

The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Section 9101(11)]. While the list of core academic subjects in the statute includes the arts, it does not define specifically which arts courses are core academic subjects. States may decide which arts courses will be considered as core academic subjects.

C-3. How does the State determine if a current teacher¹ (elementary, middle, or secondary) is highly qualified?

The SEA is responsible for developing and approving methods for ensuring that teachers have, in addition to a bachelor’s degree and full State certification, subject-matter competency and teaching skills. Teachers can demonstrate their competency and skills by (a) passing a rigorous State academic subject matter test, (b) in the case of middle or secondary school teachers, completing an academic major, graduate degree, coursework equivalent to an academic major, or advanced certification or credentialing, or (c) using the high, objective, uniform State standard of evaluation (HOUSSE) (see questions C-8 through C-10) [Section 9101(23)].

C-4. How does the State determine if *new elementary school teachers* have the subject matter knowledge and teaching skills that are needed of highly qualified teachers?

To meet the requirements of the law, new teachers at the elementary level must (1) hold at least a bachelor’s degree, (2) be licensed by the State, and (3) demonstrate, by passing a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary curriculum [Section 9101(23)(B)(i)]. While the Department is always willing to respond to inquiries from States, it is the responsibility of the SEA to identify and approve specific tests. We recommend that each SEA use the guidelines below to evaluate any tests that it wishes to consider for use in its State.

¹ A current teacher is a teacher who has already been hired by, and is teaching in, the school district.

The test may consist of a State-required certification or licensing test (or tests) in reading, writing, math, and other areas of the basic elementary school curriculum. The content of the test should be rigorous and objective and have a high, objective, uniform standard that the candidate is expected to meet or exceed. This standard must be applied to each candidate in the same way.

The purpose of the test is to establish the candidate's knowledge of content in reading, writing, math, and other areas of the basic elementary curriculum. The SEA may wish to go on record – via a resolution passed by the State Board of Education, for example – establishing which tests meet the State's criteria. Keeping such formal approvals on file, along with an explanation as to how the tests meet the criteria required by the law, would be one way for the State to demonstrate it is in compliance with the Section 9101(23) requirements.

C-5. How does the State determine if *new middle and high school teachers* have a high level of competence in each of the subjects the teacher will teach?

To meet the requirements of the law, new teachers at the middle and high school levels must (1) hold at least a bachelor's degree, (2) be licensed by the State, and (3) demonstrate their competence, in each of the core academic subjects the teacher teaches, by:

1. Completing an academic major, a graduate degree, coursework equivalent to an academic major, or advanced certification or credentialing, or
2. Passing a rigorous State academic subject test [Section 9101(23)(B)(ii)].

While the Department is always willing to respond to inquiries from States, it is the responsibility of the SEA to identify and approve such tests. We recommend that each SEA use the guidelines below to evaluate any subject matter tests that it wishes to consider for use in its State.

The academic subject test may consist of a State-required certification or licensing test (or tests) in each of the academic subjects in which a teacher teaches. The content of the test should be rigorous and objective, focus on a specific academic content area, and have a high, objective, uniform standard that the candidate is expected to meet or exceed. These standards must be applied to each candidate in the same way.

The purpose of the test is to establish the candidate's knowledge in a given subject matter. In addition, the test might be used to target the areas where additional coursework or staff development may be needed to help the teacher succeed at meeting the standard.

The SEA may wish to go on record – via a resolution passed by the State Board of Education, for example – establishing which tests meet the State's criteria.

Keeping such formal approvals on file, along with an explanation as to how the tests meet the criteria required by the law, would be one way for a State to demonstrate it is compliant with the Section 9101 requirements.

C-6. What is meant by “full State certification”?

Full State certification is defined by State policy. It means that the teacher has fully met those State requirements that apply to the years of experience the teacher possesses. For example, these requirements may vary for first-year teachers and current teachers. In addition, “full State certification” means that the teacher must not have had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

States are free to redefine, in accordance with State law, their certification requirements (for example, they may streamline their requirements if they determine that they are too onerous) or create non-traditional approaches to certification. For example, if State law so permits, a State may determine that an individual is fully certified if he or she has passed a rigorous assessment of his or her subject matter mastery, such as one of the assessments currently being developed by the American Board for Certification of Teacher Excellence. Such non-traditional approaches to full State certification are different from alternative route to certification programs (see C-7 below) because, in the former, the candidate is fully certified before he or she starts teaching.

C-7. When can a teacher in an alternative route to certification/licensure program be considered “highly qualified”?

Teachers who are not yet fully certified but participate in an alternative route to certification program may be considered to meet the certification requirements of the definition of a highly qualified teacher if they are participating in an alternative route program under which they: (1) receive high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching; (2) participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers, or a teacher mentoring program; (3) assume functions as a teacher only for a specified period of time not to exceed three years; and (4) demonstrate satisfactory progress toward full certification as prescribed by the State.

The State must ensure, through its certification and licensure process, that these provisions are met.